

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.68036 of 2021

Arising Out of PS. Case No.-147 Year-2021 Thana- JANDAHA District- Vaishali

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1. AMITABH RAY Son of Gopal Ray Resident of Village - Salha, P.S. Jandaha, Dist. - Vaishali.
 2. Shivnath Ray Son of Gopal Ray Resident of Village - Salha, P.S. Jandaha, Dist. - Vaishali.

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Nityanand, Adv.

For the Opposite Party/s : Mr.Ganesh Prasad Singh, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 15-06-2022 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

The petitioners seek anticipatory bail in connection with Jandaha P.S. Case No. 147 of 2021, registered under Sections 447, 341, 323, 324, 354, 379, 504 and 307 of the Indian Penal Code.

Learned counsel for the petitioners submits that in the present F.I.R. i.e. Jandaha P.S. Case No.147 of 2021 the alleged date of occurrence is 03.07.2021, whereas F.I.R. has been lodged on 12.07.2021 i.e. delay about 9 days. He further submits that vide Annexure-2 the wife of petitioner no.1 filed a complaint case bearing No.941 of 2021 in which date of

occurrence used to be made on 28.06.2021 and the said complaint was filed on 03.07.2021 itself. He further submits that in the complaint case a dispute of petty nature taken place between the parties on 11.05.2021 itself, in which panchayati was taken place and the informant of the present case had accepted their mistake, thereafter the said dispute was dissolved before the panchayat itself.

Learned counsel for the petitioners submits that due to under these circumstances, there is a complete revenging attitude developed in the mind of the informant and their family, which resulted into the present case.

Learned A.P.P. has opposed the prayer for bail.

Considering the facts and circumstances of the case that for the alleged date of occurrence is on 03.07.2021, the petitioners side has moved a complain petition but the informant side has come forward to file F.I.R. after delay of 9 days which creates doubt in the case of prosecution, let the petitioners, above-named, in the event of their arrest/surrender within four weeks from today in the Court below, be released on bail on furnishing bail bonds of Rs.10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Vaishali at Hajipur, in

connection with Jandaha P.S. Case No.147 of 2021, subject to
the conditions as laid down under Section 438(2) of the Code of
Criminal Procedure, 1973.

(Dr. Anshuman, J)

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